

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Tuesday
October 15th, 2019**

MEMBERS PRESENT:

Joseph Knowles, President
Ed Kisselback, Vice President
Joseph Pilieri, Secretary
Jesse Sloane, Member
Ed Tokmajian, Member

ALSO PRESENT:

Joe Pizzo, Township Solicitor
Harold Gans, Township Engineer
Russell Benner, Township Engineer
Debora McBreen, Council Clerk/Recording Secretary

PLEASE NOTE:

The minutes are not verbatim but rather a synopsis of what transpired during the meeting, and while I do my best to attribute remarks and questions to the correct individual, there may be mistakes or omissions because of the “back and forth” dialogue and the lack of the use of the microphones.

Council President Knowles asked **Solicitor Pizzo** to advise the public of the Executive Session held before the Council Meeting this evening. **Solicitor Pizzo** indicated Council was in an Executive Session since approximately 5:45pm, present for the Executive Session were the five members of Council, the Mayor, the Director of Administration, the Finance Manager, Brian Bradley from RBC Capital Markets and the Township Solicitor. The matter discussed was a presentation by RBC Capital on the possibilities of refinancing some township bonds, no official action was taken during the Executive Session and no official action is required at this evenings meeting as a result of the Executive Session.

1. PLEDGE OF ALLEGIANCE:

Council President Knowles opened the meeting with a moment of silence which was followed by the Pledge of Allegiance.

Council President Knowles asked **Solicitor Pizzo** if there were any changes to this evening’s agenda. **Solicitor Pizzo** indicated agenda item number eight which is a Minor Land Development for Millenium Properties and Investments, LLC, the township had received correspondence from the applicant that they need to send out new notices due to a miscommunication of dates. The applicant is asking for more time to redistribute the notices so they have requested this item to be tabled to a date certain of November 12th. The applicant has

given the township an extension of time under the municipalities Planning Code for the consideration of the Minor Land Development application through and including December 31st, 2019. Agenda Item Eight was voted on at this time, **Council Secretary Pilieri** motioned to approve the request of the applicant to table agenda item number eight until a date certain of November 12th, 2019, **Council Member Tokmajian** seconded and the motion carried 5-0.

2. **PUBLIC COMMENT:**

Council President Knowles invited Public Comment on Agenda items, but no one came forward and the first of two public portions was closed.

RECOGNITION AND PRESENTATION OF CERTIFICATES

Presentation of Awards to Police Officers. **Public Safety Director Harran** spoke in detail regarding the cases that were involved and presented those awards for the following achievements: **Unit Citation Award, Pennsylvania DUI Association 2019 Top Gun Award, Bensalem Township Police Department Outstanding Service Award, and the Bensalem Township Police Department Valor Award.**

Presentation of Certificates to the **2018-2019 Lower Bucks Lady Bombers** who won five tournaments and finished in 7th place out of 64 teams at the USSSA Eastern Nationals in Ocean City, Maryland in July.

Presentation of Certificates to the students of **Bensalem High School Community Service Club** who volunteered during the summer concert series at the Penn Community Bank Amphitheater.

3. **APPROVAL OF COUNCIL MINUTES:**

After Corrections were noted to the Minutes of September 9th, 2019, **Council Member Sloane** motioned to approve, **Council Member Tokmajian** seconded and the motion carried 5-0.

4. **CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE REGARDING A LIQUOR LICENSE TRANSFER:**

Solicitor Pizzo indicated at any time a business owner wishes to transfer a retail liquor license into the township from outside of our borders the current state law requires there be a hearing before Council on that request. Under the Township Code the approval of that request is effectuated by an ordinance. The ordinance before Council proposes to authorize the transfer of the liquor license for the Crafty Crab from Rob-Bob Restaurant in Telford, Bucks County. The hearing on the ordinance has been properly advertised and the ordinance is in a form acceptable for Council's consideration. A representative for the applicant was present for the purpose of making the introduction and notifying Council of the various requirements under the ordinance that need to be met. Mr. Edward McHugh, attorney for the applicant came forward and introduced Zen Lyn and the on-site manager, Quin Young. Mr. McHugh passed out exhibit packages to Council which contained the site plan and the current menu in place. Mr.

McHugh discussed in detail the operation of Crafty Crab. **Council President Knowles** asked for public comment and seeing no one come forward the public portion was closed. **Council Member Sloane** motioned to approve, **Council Vice President Kisselback** seconded and the motion carried 5-0.

5. **CONSIDERATION OF A RESOLUTION AUTHORIZING THE UPGRADE OF EXISTING TRAFFIC LIGHT LOCATED AT BENSLEM BOULEVARD AND NEW FALLS ROAD:**

Solicitor Pizzo indicated what he was about to say would apply to agenda items 5 and 6. As Council is aware, the township has been engaged in the upgrade of signals throughout the township as part of the interactive technology that has the signals “speaking” to each other and making adjustments as necessary based on traffic that is being identified by new computer technology and cameras that are mounted on top of the mast arms. As the township proceeds along in that process, the township is now dealing with intersections along Bensalem Boulevard. The application is for PennDOT to allow the township to make the modifications to the signalized intersection to install the new technology and to retune the signal. As Council is aware, anytime the township makes changes to any traffic signals along a PennDOT highway it requires the township to submit to PennDOT a new application for whatever change the township proposes to that signal. The application is in a form reviewed and prepared by the Township Traffic Engineer and the Administration and in a form acceptable for Council’s consideration and approval. **Member Sloane** asked if this was funded by an outside source and not funded through the township. **Solicitor Pizzo** indicated the upgrade to be funded by a third party. **Council Member Tokmajian** motioned to approve, **Council Member Sloane** seconded and the motion carried 5-0.

6. **CONSIDERATION OF A RESOLUTION AUTHORIZING THE UPGRADE OF EXISTING TRAFFIC LIGHT LOCATED AT BENSLEM BOULEVARD AND GIBSON ROAD:**

Solicitor Pizzo’s comments will apply to this agenda item as indicated in agenda item number five. **Council Member Tokmajian** made a motion to approve the upgrade, **Council Secretary Pilieri** seconded and the motion carried 5-0.

7. **REQUEST FOR WAIVER OF CURBS AND SIDEWALKS:**

Applicant:	Thomas Snyder
Site Information:	2519 Hulmeville Road
Tax Parcel:	2-32-98

Solicitor Pizzo indicated the last time this was before Council, Council had questions to the viability of installing curbing in front of the subject property. Mr. Gans and his firm prepared some answers in that regard. **Mr. Gans** indicated Council had asked what might be planned for drainage in that area in the future and then introduced **Mr. Russell Benner**, Township Engineer, to update Council. **Mr. Benner** supplied an illustrated plan and explained

in detail the proposed drainage ideas along with curbs and sidewalks and its affects regarding the surrounding properties.

Council Member Sloane motioned to recommend a waiver for curbs and sidewalks subject to a payment of a fee in lieu of, **Council Vice President Kisselback** seconded and the motion carried 5-0.

8. CONSIDERATION OF A MINOR LAND DEVELOPMENT:

Applicant: Millenium Properties and Investments, LLC
Location: 4851 Street Road
Proposed Use: Parking
Zoning Classification: BP – Business Professional
Tax Parcel: 2-4-184-1

Tabled to a date certain of November 12th, 2019.

9. CONSIDERATION AND SIGNING OF AGREEMENTS:

Applicant: Waterside – Phase 2
Location: State Road
Proposed Use: Residential Units
Zoning Classification: MXD – Mixed Use Waterfront District
Tax Parcel: 2-65-22 and a portion of 2-64-139

Solicitor Pizzo indicated copies of the agreements were supplied to Council in their packets. These are the Land Development Improvements Agreement, the Stormwater Best Management Practice Operations & Maintenance and the Revised Impact Fee Agreement with Lennar Homes for Phase 2 of the Waterside project. The agreements were prepared by the office of Rudolph, Clarke and Associates, and have been executed by the developer, the required fees called for under the agreement including the letter of credit in the amount of 1.446 million dollars, has been posted with the township, the agreements are in a form acceptable for Councils consideration and approval.

Council Member Sloane asked if it was realistic that the improvements would be completed in one year as proposed on page 8 of the Land Development Improvements Agreement. **Solicitor Pizzo** explained that he did not know if it was a realistic target date or not, but what the one year period does however, is allows the township, after the one year period is up, to have the applicant come back and ask for an extension of the agreement during which time the township can then reassess the amount of money being held and to determine if additional fees are required. A conversation ensued regarding the verbiage of the agreements.

Council Secretary Pilieri motioned to approve the signing of the agreements, **Council Vice President Kisselback** seconded and motion carried 5-0.

10. CONSIDERATION OF A REDUCTION OF PERMIT FEES:

Council Vice President Kisselback motioned to approve the request for a reduction of permit fees for Cornwells Elementary School, Council Secretary Pilieri seconded and the motion carried 5-0.

11. PUBLIC COMMENT:

Council President Knowles invited public comment and the following residents came forward:

Alan Winsor, 3232 Azalea Avenue, Mr. Winsor thanked Council for taking care of his request from the last meeting which involved the area of Old Lincoln Highway and Bristol Road. Mr. Winsor inquired about Trail Grants. Mr. Belfield was in the audience and came forward to speak in regards to the grants.

Tony Belfield, 2475 Greenland Court, Chairman of the Environmental Advisory Board, past Councilman. Full grant funding was provided for the trail that would run from Imagination Land to Central Park to the Amphitheater including a connection into the wetlands area and then over to the school district property.

Barbara Stakes, 4352 Linden Ave., Oakford Section of Bensalem. Ms. Stakes spoke regarding the Homeowner's Assistance Grant letter received by the homeowners along with the \$300.00 check. Ms. Stakes asked why two of the Councilmen's names were left out of the letter, then proceeded to answer her own question resolving it to be what was relayed to her from administration, that being Councilman Sloane and Councilman Tokmajian voted against the 2019 Budget. Ms. Stakes believed it to be a political stunt. **Council Vice President Kisselback** told Ms. Stakes the Council Meeting is not a political forum. **Council Vice President Kisselback** stated the reason why the Mayor thanked the three Councilmen, as Ms. Stakes stated, was they were the only three Councilmen who voted for the Mayors Budget.

Solicitor Pizzo indicated the ground rules tonight should be the same as any other meeting, audience members come up, say their piece then go and sit down. This is not a public debate and it certainly cannot be a screaming match. Everybody has opinions on any numbers of things. We have to try to maintain some kind of decorum or it is just going to be bedlam. The purpose of "public comment" is just that.

Tony Belfield, 2474 Greenland Court, as a former Councilmen, Council is elected into the position to serve the community. When Council votes on whatever the subject may be during a meeting, you, the Council, are responsible for the outcome of that vote. If you don't like the Budget put before you then you have a whole year to work on it and present it to Administration. You were "bent out of shape" because you didn't get patted on the back for something you voted against. Come up with solutions, work, do the job you were elected to do and stop the pettiness.

Alan Winsor, 3232 Azalea Avenue, explained that he heard a false fact pertaining to Mr. Allan noticing a \$100.00 Homeowners Grant which is total fabrication. **Mr. Winsor** comes to practically every single meeting and the reason for the \$100.00 reduction was because of the economy. Mr. Winsor believes you should have your facts straight before you speak.

Robert Norkus, 4803 Bensalem Boulevard, and has lived in Bensalem for close to five years. Mr. Norkus took an interest in the community because he was so impressed by some of the community services particularly the police department. Mr. Norkus continued to say, while he understands why some people might object to the absence of the two names in the letter, what he didn't understand is how they could sue someone personally. Mr. Norkus indicated how some people think the absence of the names is a low blow he felt that suing someone personally is a very low blow. Mr Norkus took it upon himself to look at the budget and to his surprise the township has been in pretty good shape. Mr Norkus also said that what he has come to understand, through the worst of times, the budget has been met and those were the years during a recession. Mr Norkus also indicated after looking at the auditors review that it was stated "the Mayor is responsible to make sure that the adopted budget is managed". So far, and counting this year, 38 million dollars has been returned to the community, \$300 dollars to each qualifying resident. Mr Norkus stated he has never heard of anywhere that \$38 million dollars was returned to the community. Mr. Norkus lived in Atlantic City before coming to Bensalem where it was very difficult to live in regards to the casinos. Mr. Norkus had his doubts moving to Bensalem because of Parx Casino but noticed the police department had things under control. Mr. Norkus applauds the police department and the Mayor. Back to the Budget, in each of the past 25 years the Mayor has brought in actual year-end results better than approved appropriations. Mr. Norkus read the next line from the auditors repost stating "all costs are reviewed before purchases are made to make sure they are in keeping with the budget." Mr. Norkus saw how the Mayor met the Budget by stating that the Mayor makes sure no one spends more than they are supposed to and the Mayor has achieved this for 25 years. Mr. Norkus believes that on December 31st, 2019, the budget will be met. Mr. Norkus stated that overall there is an outstanding job being done here in the community by this board and by the Mayor in particular when it comes to financial matters. Mr. Norkus honestly believes that the lawsuit brought against the other board members, individually, personally, will in time settle out to be in time nothing but a pile of minutia.

Barbara Ziedler, 1108 Ohio Avenue, read in the paper that another township is re-opening the whole issue of the Sterling Act and asked if Bensalem could get into that too because that will certainly bring money back into Bensalem. **Solicitor Pizzo** explained to Ms. Ziedler that it was actually two state representatives from Bucks County and not another township who did it on behalf of the Bucks County Association of Township Officials where the Mayor sits on the board. The Mayor has been actively engaged with BCATO, with the state representatives, with Senator Tomlinson who has introduced similar legislation in the senate which is all geared toward bringing Sterling Act dollars back to Bensalem. The Sterling Act was adopted back during the depression, approved by the state house and the legislature at that time to help the city through the depression.

Seeing no one else come forward the second of two public portions was closed.

12. OTHER BUSINESS:

Mayor Joseph DiGirolamo indicated he has been Mayor for 25 years, was a very successful businessman and had volunteered in this town four years before becoming Mayor. Built the municipal building and was involved with all kinds of economic development for the community, ran the tri-centennial, did all kinds of things for this great community that we live in today. The Mayor is so proud of being the head of Administration but we do it as a team. Nobody, no one person can get anything done by themselves. It takes a team to accomplish what we want to do and to get things done, 27 years ago this town was deplorable., it had no budget, was behind, it did not have money, I came into office got a team together to get the township where it is today. Bensalem has never had this way of going about things. The Mayor indicated he never said a word when an article in the paper accused him of being a liar. They called me a liar in the Budget, They both signed it and they both said Joe DiGirolamo, the Mayor of Bensalem, is a liar. In the real world we would have addressed that, but in the political world, where they can make points and do stuff, the Mayor let it go because it is not worth it. The Mayor indicated in 26 years the township has never raised the real estate taxes, not the Mayor but a Team has accomplished that. The Mayor is so proud of Bensalem Township that wherever he goes we are recognized in the state. The Mayor indicated he was out at 7 o'clock in the morning the day of the vote regarding Parx Casino, who was not going to give Bensalem any money, but the Mayor along with his team fought for that money, with the Council, with everybody working to get it done. The Mayor said we made a pledge, to give back every dime that came in from the casino to the township to the people of this community. In the whole state of Pennsylvania there is not one other municipality that gives back, from the casino revenue, to their community. My family has endured some harsh times through the previous election. The police department is 75% of the townships budget, the Mayor indicated we must provide the safety and welfare of this community. Every one of these board members, when they are sworn in, and swear to uphold the safety and welfare of this community. The Mayor continued to say we don't have to sue each other and fight with each other, we can debate issues. Do everything the right way. The Mayor pleaded with everyone, no matter what political party you stand for, think of your families. The Mayor took such a beating during his last election that his wife had a stroke because of all the attacks to his family during that campaign. It's not fair to either side, let's run Bensalem as a community.

Solicitor Pizzo acknowledged his daughter, who was playing in an All-Star soccer game, and apologized for what should have been a 20 minute meeting, and is very proud of her accomplishments.

Councilman Tokmajian asked for an update on Andalusia Supply.

Council Vice President Kisselback stated he has been on Council for 23 years, worked with the Mayor before he was Mayor on a number of boards. Everyone on the Council is interested in the good of Bensalem regardless of your political status. However, after 23 years, my neighbor, who I saw grow up, sued me personally because of something I did not do. It is very disheartening that it has come to this point in the political arena and the history of Bensalem Township.

Council Secretary Pilieri said he could not follow everything that was said. He reiterated Mr. Norkus statement regarding the Mayor and the fantastic job he has done with the township and being one of the best places to live in the country. We have a police department that is better than any other police department in the state of Pennsylvania and will go as far as saying in the United States and that is because of what the Mayor does with the budget and with Council supporting it. All the things that happen in this township are because we have a great leader and a good crew to make it happen. Too much pettiness in politics these days and it seems to be getting worse.

Council President Knowles reiterated that the letter that went out was factually correct, it did not mention any party, and all it did was thank the people who voted for the budget. I certainly don't think it is worthy of a personal lawsuit. Hopefully we can get along and work together on the next budget.

13. ADJOURNMENT:

There being no other business to discuss **Council Secretary** made a motion to adjourn.

Respectfully Submitted,

Debora F. McBreen
Recording Secretary